

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION

IMMERSION CORPORATION,

Plaintiff,

v.

META PLATFORMS, INC., *f/k/a* FACEBOOK,  
INC.,

Defendant.

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Civil Action No. 6:22-cv-00541-ADA

JURY TRIAL DEMANDED

**META PLATFORMS, INC.’S ANSWER  
TO IMMERSION CORPORATION’S COMPLAINT**

Defendant Meta Platforms, Inc.<sup>1</sup> (“Meta”) hereby files its answer (“Answer”) to the original complaint for patent infringement filed on May 26, 2022 (“Complaint”) by Plaintiff Immersion Corporation (“Immersion” or “Plaintiff”). Each of the paragraphs below corresponds to the same numbered paragraphs in the Complaint. Meta denies all allegations in the Complaint, whether express or implied, that are not specifically admitted below. Meta further denies that Immersion is entitled to the relief requested in the Complaint, or to any other relief.

**NATURE OF CASE**

1. Meta admits that the Complaint purports to be an action for the infringement of U.S. Patent Nos. 8,469,806 (“the ’806 patent”); 8,896,524 (“the ’524 patent”); 9,727,217 (“the ’217 patent”); 10,248,298 (“the ’298 patent”); 10,269,222 (“the ’222 patent”); and 10,664,143 (“the ’143 patent”) (collectively, “the Patents-in-Suit”). Meta denies infringement of the Patents-

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<sup>1</sup> Meta notes that certain of the allegations in the Complaint may be more appropriately directed to Meta Platforms Technologies, LLC, a subsidiary of Meta Platforms, Inc.

in-Suit.

2. Meta denies the allegations of paragraph 2.

3. Meta admits that the Complaint purports to seek monetary damages, injunctive relief, and prejudgment and post-judgment interest. Meta denies the remaining allegations of paragraph 3, including any and all allegations of patent infringement, and denies that any relief is due to Immersion.

### **THE PARTIES**

4. Meta is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 4, and therefore denies them.

5. Meta is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 5, and therefore denies them.

6. Meta admits that it is incorporated under the laws of Delaware, with its corporate headquarters and principal place of business at 1601 Willow Road, Menlo Park, California 94025. Meta admits that it has a place of business at 300 W 6th Street, Austin, Texas 78701. Meta admits that it has a registered agent at Corporation Service Company, 211 E. 7th Street Suite 620, Austin, Texas 78701.

### **JURISDICTION AND VENUE**

7. Meta admits that the Complaint purports to be an action for patent infringement under the Patent Laws of the United States, Title 35 of the United States Code. Meta denies that the allegations have any merit or that Plaintiff is entitled to any relief.

8. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed required, Meta admits that this action purports to arise under the patent laws of the United States, Title 35 of the United States Code, and that the

Court has original subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a), provided that standing and other requirements are met. Except as expressly admitted, Meta denies the remaining allegations in paragraph 8.

9. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta admits that this Court has personal jurisdiction over it with respect to the instant action. Meta denies that it has committed or is committing any acts of infringement anywhere, including in this District. Additionally, except as expressly admitted, Meta denies the remaining allegations in paragraph 9.

10. Meta denies the allegations of paragraph 10.

11. Meta admits that it maintains an Austin, Texas office where more than 2,000 employees work. Meta admits that it has job postings that may include the Austin, TX office as a potential work location. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited articles located at <https://www.bloomberg.com/news/articles/2022-01-09/meta-expands-in-texas-with-major-office-lease-in-downtown-austin> and <https://www.businessinsider.com/meta-signs-lease-austin-texas-sixth-guadalupe-largest-skyscraper-property-2022-1>, these articles speak for themselves. To the extent these cited articles or Immersion's allegations based on these articles contain incomplete or incorrect information, Meta denies these allegations. Meta denies the remaining allegations in paragraph 11.

12. Meta admits that on March 31, 2022, Meta announced that it will construct a data

center in Temple, TX, as summarized in a post on facebook.com.<sup>2</sup> To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited article located at <https://templeedc.com/meta-data-center-temple-texas/>, this article speaks for itself. To the extent this cited article or Immersion's allegations based on these articles contain incomplete or incorrect information, Meta denies these allegations. Meta denies the remaining allegations in paragraph 12.

13. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited LinkedIn Profiles listed in footnotes 8-11, these profiles speak for themselves. To the extent these cited profiles or Immersion's allegations based on these profiles contain incomplete or incorrect information, Meta denies those allegations. Meta denies the remaining allegations in paragraph 13.

14. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited LinkedIn pages, these pages speak for themselves. Immersion did not include dated copies of these dynamic pages with its Complaint, so to the extent Immersion is attempting to assert that certain information appeared on these webpages in April and May of 2022, Meta is without knowledge or information sufficient to form a belief as to the truth of such allegations, and therefore denies them. To the extent the cited LinkedIn pages or Immersion's allegations based on these pages contain incomplete or incorrect information, Meta denies those allegations. Meta denies the remaining allegations in paragraph 14.

15. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited article at

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<https://www.facebook.com/TempleDataCenter/posts/pfbid0B2XfKc6F9ZutY5s2oyXzhHVEaXgYiDLWUKFstVtsB4Dm7H97ghMVvVnPm2BUR1Rbl>.

<https://www.hcamag.com/us/specialization/benefits/meta-embraces-work-from-anywhere-ahead-of-return-to-office/400130>, such article speaks for itself. To the extent the cited article or Immersion's allegations based on these pages contain incomplete or incorrect information, Meta denies those allegations. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the Meta webpage found at <https://www.oculus.com/workrooms/>, the Meta webpage speaks for itself. Meta denies the remaining allegations in paragraph 15.

16. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, for purposes of this action, Meta admits that it has places of business within the Western District of Texas. Meta denies the remaining allegations of paragraph 16.

17. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta does not dispute that venue, for this action only, is authorized in this District pursuant to 28 U.S.C. § 1400(b). By filing this Answer, Meta does not waive any argument that venue is inconvenient in this District. Except as expressly admitted, Meta denies the remaining allegations in paragraph 17, including any and all allegations of patent infringement.

### **HAPTIC TECHNOLOGY**

18. The Patents-in-Suit speak for themselves. To the extent Immersion seeks to define or characterize the scope of any of the Patents-in-Suit, Immersion's allegations state legal conclusions to which no response is required. To the extent a response is deemed required, Meta denies the allegations in paragraph 18.

19. The Patents-in-Suit speak for themselves. To the extent Immersion seeks to define or characterize the scope of any of the Patents-in-Suit, Immersion's allegations state legal conclusions to which no response is required. To the extent a response is deemed required, Meta denies the allegations in paragraph 19.

20. Meta denies the allegations of paragraph 20.

**META'S ALLEGED CONTROL OVER THE ACCUSED INSTRUMENTALITIES**

21. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies the allegations set forth in paragraph 21.

22. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. To the extent any further response is required, Meta denies the remaining allegations of paragraph 22.

23. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta also refers the Court to an article located at <https://www.oculus.com/blog/meta-accounts/>. The remaining allegations set forth in this paragraph purport to summarize or characterize the contents of the article located at <https://www.androidcentral.com/oculus-quest-true-offline-mode>. To the extent the article or Immersion's allegations based on the article contain incomplete or incorrect information, Meta denies these allegations. To the extent any further response is required, Meta denies the remaining allegations of paragraph 23.

24. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpage, the cited Meta webpage speaks for itself. The remaining allegations set forth in this paragraph purport to summarize or characterize the contents of the article located at <https://www.theverge.com/2020/12/10/22167509/germany-fco-investigation-facebook-oculus-account-requirements-competition>. To the extent the article or Immersion's allegations based on the article contain incomplete or incorrect information, Meta denies these allegations. To the extent any further response is required, Meta denies the remaining allegations of paragraph 24.

25. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. To the extent any further response is required, Meta denies the remaining allegations of paragraph 25.

26. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited webpages, the cited webpages speak for themselves. To the extent any further response is required, Meta denies the remaining allegations of paragraph 26.

27. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta earnings call transcript, the cited Meta earnings call transcript speaks for itself. To the extent any further response is required, Meta denies the remaining allegations of paragraph 27.

28. Meta admits that its Reality Labs reporting segment includes revenue relating to augmented and virtual reality related consumer hardware, software, and content. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. The remaining allegations set forth in this paragraph purport to summarize or characterize the contents of the articles located at <https://www.cnbc.com/2022/04/13/meta-plans-to-take-a-nearly-50percent-cut-on-nft-sales-in-its-metaverse.html> and <https://www.economist.com/business/2022/04/09/from-apple-to-google-big-tech-is-building-vr-and-ar-headsets>. To the extent these articles or Immersion’s allegations based on these articles contain incomplete or incorrect information, Meta denies these allegations. To the extent any further response is required, Meta denies the remaining allegations of paragraph 28.

#### **THE PATENTS-IN-SUIT**

29. Meta admits that, on its face, U.S. Patent No. 8,469,806 states that it is titled “System and method for providing complex haptic stimulation during input of control gestures, and relating to control of virtual equipment,” lists inventors Danny A. Grant, Robert W. Heubel, David M. Birnbaum, and Erin B. Ramsay, and was issued on June 25, 2013. Meta admits that the ’806 patent states that it claims priority to a provisional application filed on July 22, 2009. Meta admits that a copy of the ’806 patent was attached to the Complaint as Exhibit A (Dkt. 1-1). Meta is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraph 29, and therefore denies them.

30. Meta is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 30, and therefore denies them.

31. Meta denies the allegations of paragraph 31.

32. Meta admits that, on its face, U.S. Patent No. 8,896,524 states that it is “Context-

dependent haptic confirmation system,” has inventors David Birnbaum, Christopher J. Ullrich, and Marcus Aurelius Bothsa, and was issued on November 25, 2014. Meta admits that the ’524 patent states that it was filed on August 24, 2012. Meta admits that a copy of the ’524 patent was attached to the Complaint as Exhibit B (Dkt. 1-2). Meta is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraph 32, and therefore denies them.

33. Meta is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 33, and therefore denies them.

34. Meta denies the allegations of paragraph 34.

35. Meta admits that, on its face, U.S. Patent No. 9,727,217 states that it is titled “Haptically enhanced interactivity with interactive content,” has inventors David Birnbaum, Danny A. Grant, and Robert W. Heubel, and was issued on August 8, 2017. Meta admits that the ’217 patent states that its earliest parent application was filed on September 30, 2010. Meta admits that a copy of the ’217 patent was attached to the Complaint as Exhibit C (Dkt. 1-3). Meta is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraph 35, and therefore denies them.

36. Meta is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 36, and therefore denies them.

37. Meta denies the allegations of paragraph 37.

38. Meta admits that, on its face, U.S. Patent No. 10,248,298 states that it is titled “Haptically enhanced interactivity with interactive content,” has inventors David Birnbaum, Danny A. Grant, and Robert W. Heubel, and was issued on April 2, 2019. Meta admits that the ’298 patent states that its earliest parent application was filed on September 30, 2010. Meta admits

that a copy of the '298 patent was attached to the Complaint as Exhibit D (Dkt. 1-4). Meta is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraph 38, and therefore denies them.

39. Meta is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 39, and therefore denies them.

40. Meta denies the allegations of paragraph 40.

41. Meta admits that, on its face, U.S. Patent No. 10,269,222 states that it is titled "System with wearable device and haptic output device," has inventors Allan Visitacion, Trevor Jones, Daniel Gregory Parker, Kohei Imoto, Keith Reed, Jesica E. Ferro, Aaron Kapelus, Neil Olien, Danny A. Grant, and Robert Lacroix, and was issued on April 23, 2019. Meta admits that the '222 patent states that its earliest parent application was filed on March 15, 2013. Meta admits that a copy of the '222 patent was attached to the Complaint as Exhibit E (Dkt. 1-5). Meta is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraph 41, and therefore denies them.

42. Meta is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 42, and therefore denies them.

43. Meta denies the allegations of paragraph 43.

44. Meta admits that, on its face, U.S. Patent No. 10,664,143 states that it is titled "Haptically enhanced interactivity with interactive content," has inventors David Birnbaum, Danny A. Grant, and Robert W. Heubel, and was issued on May 26, 2020. Meta admits that the '143 patent states that its earliest parent application was filed on September 30, 2010. Meta admits that a copy of the '143 patent was attached to the Complaint as Exhibit F (Dkt. 1-6). Meta is without knowledge or information sufficient to form a belief as to the truth of the remaining

allegations in paragraph 44, and therefore denies them.

45. Meta is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 45, and therefore denies them.

46. Meta denies the allegations of paragraph 46.

47. The Patents-in-Suit speak for themselves. To the extent Immersion's allegations seek to define or characterize the scope of the Patents-in-Suit, Immersion's allegations state legal conclusions to which no response is required. To the extent a response is deemed required, Meta denies the allegations set forth in paragraph 47.

48. The '806 patent speaks for itself. To the extent Immersion's allegations seek to define or characterize the scope of the '806 patent, Immersion's allegations state legal conclusions to which no response is required. To the extent a response is deemed required, Meta denies the allegations set forth in paragraph 48.

49. The '524 patent speaks for itself. To the extent Immersion's allegations seek to define or characterize the scope of the '524 patent, Immersion's allegations state legal conclusions to which no response is required. To the extent a response is deemed required, Meta denies the allegations set forth in paragraph 49.

50. The '217 and '298 patents speak for themselves. To the extent Immersion's allegations seek to define or characterize the scope of '217 and '298 patents, Immersion's allegations state legal conclusions to which no response is required. To the extent a response is deemed required, Meta denies the allegations set forth in paragraph 50.

51. The '222 patent speaks for itself. To the extent Immersion's allegations seek to define or characterize the scope of the '222 patent, Immersion's allegations state legal conclusions to which no response is required. To the extent a response is deemed required, Meta denies the

allegations set forth in paragraph 51.

52. The '143 patent speaks for itself. To the extent Immersion's allegations seek to define or characterize the scope of the '143 patent, Immersion's allegations state legal conclusions to which no response is required. To the extent a response is deemed required, Meta denies the allegations set forth in paragraph 52.

**FIRST CAUSE OF ACTION**  
**(ALLEGED INFRINGEMENT OF U.S. PATENT NO. 8,469,806)**

53. Meta incorporates by reference its responses to paragraphs 1 through 52 above.

54. Meta denies the allegations of paragraph 54.

55. Meta admits that paragraph 55 quotes the language of claim 11 of the '806 patent.

56. Meta denies the allegations of paragraph 56.

57. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 57 quotes language from claim 11 of the '806 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 57.

58. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 58.

59. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act

of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 59.

60. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 60.

61. Meta denies the allegations of paragraph 61.

62. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 62 quotes language from claim 11 of the '806 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 62.

63. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta is without knowledge or information sufficient to form a belief as to the truth of Immersion's allegations regarding "testing" and the accuracy of any screenshots created by Immersion, and on that basis denies any allegations relating thereto that are inconsistent with the functionality of the Accused Instrumentalities. Meta denies the remaining allegations of paragraph

63.

64. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta is without knowledge or information sufficient to form a belief as to the truth of Immersion's allegations regarding "testing" and the accuracy of any screenshots created by Immersion, and on that basis denies any allegations relating thereto that are inconsistent with the functionality of the Accused Instrumentalities. Meta denies the remaining allegations of paragraph 64.

65. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta is without knowledge or information sufficient to form a belief as to the truth of Immersion's allegations regarding "testing" and the accuracy of any screenshots created by Immersion, and on that basis denies any allegations relating thereto that are inconsistent with the functionality of the Accused Instrumentalities. Meta denies the remaining allegations of paragraph 65.

66. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for

themselves. Meta is without knowledge or information sufficient to form a belief as to the truth of Immersion's allegations regarding "testing" and the accuracy of any screenshots created by Immersion, and on that basis denies any allegations relating thereto that are inconsistent with the functionality of the Accused Instrumentalities. Meta denies the remaining allegations of paragraph 66.

67. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 67.

68. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies the allegations of paragraph 68.

69. Meta denies the allegations of paragraph 69.

70. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 70 quotes language from claim 11 of the '806 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta is without knowledge or information sufficient to form a belief as to the truth of Immersion's allegations regarding "testing" and the accuracy of any screenshots created by Immersion, and on that basis denies any allegations relating thereto that are inconsistent with the functionality of the Accused Instrumentalities. Meta denies the remaining allegations of paragraph 70.

71. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta is without knowledge or information sufficient to form a belief as to the truth of Immersion's allegations regarding "testing" and the accuracy of any screenshots created by Immersion, and on that basis denies any allegations relating thereto that are inconsistent with the functionality of the Accused Instrumentalities. Meta denies the remaining allegations of paragraph 71.

72. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. The allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Unity webpage, which speaks for itself. To the extent the Unity webpage or Immersion's allegations based on the article contain incomplete or incorrect information, Meta denies these allegations. Meta denies the remaining allegations of paragraph 72.

73. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. The allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Unity webpage, which speaks for itself. To the extent the Unity webpage or Immersion's allegations based on the article contain incomplete or incorrect information, Meta denies these allegations. Meta denies the remaining allegations of paragraph 73.

74. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies the allegations of

paragraph 74.

75. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies the allegations of paragraph 75.

76. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 76 quotes language from claim 11 of the '806 patent. Meta denies the remaining allegations of paragraph 76.

77. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 77.

78. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies the allegations of paragraph 78.

79. Meta denies the allegations of paragraph 79.

80. Meta denies the allegations of paragraph 80.

81. Meta denies the allegations of paragraph 81.

82. Meta denies the allegations of paragraph 82.

**SECOND CAUSE OF ACTION**  
**(ALLEGED INFRINGEMENT OF U.S. PATENT NO. 8,896,524)**

83. Meta incorporates by reference its responses to paragraphs 1 through 82 above.

84. Meta denies the allegations of paragraph 84.

85. Meta admits that paragraph 85 quotes the language of claim 1 of the '524 patent.

86. Meta denies the allegations of paragraph 86.

87. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 87 quotes language from claim 1 of the '524 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 87.

88. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 88.

89. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 89 quotes language from claim 1 of the '524 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta is without knowledge or information sufficient to form a belief as to the truth of Immersion's allegations regarding "testing" and the accuracy of any screenshots created by Immersion, and on that basis denies any allegations relating thereto that are inconsistent with the functionality of the Accused Instrumentalities. Meta denies the remaining allegations of paragraph 89.

90. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 90 quotes language from claim 1 of the '524 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 90.

91. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. The allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Unity webpage, which speaks for itself. To the extent the Unity webpage or Immersion's allegations based on the article contain incomplete or incorrect information, Meta denies these allegations. Meta denies the remaining allegations of paragraph 91.

92. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 92 quotes language from claim 1 of the '524 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta is without knowledge or information sufficient to form a belief as to the truth of Immersion's allegations regarding "testing" and the accuracy of any screenshots created by Immersion, and on that basis denies any allegations relating thereto that are inconsistent with the functionality of the Accused Instrumentalities. Meta denies the remaining allegations of paragraph 92.

93. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act

of infringement. The allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Unity webpage, which speaks for itself. To the extent the Unity webpage or Immersion's allegations based on the article contain incomplete or incorrect information, Meta denies these allegations. Meta denies the remaining allegations of paragraph 93.

94. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 94 quotes language from claim 1 of the '524 patent. Meta denies the remaining allegations of paragraph 94.

95. Meta denies the allegations of paragraph 95.

96. Meta denies the allegations of paragraph 96.

97. Meta denies the allegations of paragraph 97.

98. Meta denies the allegations of paragraph 98.

**THIRD CAUSE OF ACTION**  
**(ALLEGED INFRINGEMENT OF U.S. PATENT NO. 9,727,217)**

99. Meta incorporates by reference its responses to paragraphs 1 through 98 above.

100. Meta denies the allegations of paragraph 100.

101. Meta admits that paragraph 101 quotes the language of claim 1 of the '217 patent.

102. Meta denies the allegations of paragraph 102.

103. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta denies the allegations of paragraph 103.

104. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 104 quotes language from claim 1 of the '217 patent.

To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 104.

105. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 105 quotes language from claim 1 of the '217 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 105.

106. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 106 quotes language from claim 1 of the '217 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 106.

107. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 107.

108. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 108 quotes language from claim 1 of the '217 patent.

To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 108.

109. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 109 quotes language from claim 1 of the '217 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 109.

110. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 110 quotes language from claim 1 of the '217 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 110.

111. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 111.

112. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or

characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 112.

113. Meta denies the allegations of paragraph 113.

114. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 114 quotes language from claim 1 of the '217 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta is without knowledge or information sufficient to form a belief as to the truth of Immersion's allegations regarding "testing" and the accuracy of any screenshots created by Immersion, and on that basis denies any allegations relating thereto that are inconsistent with the functionality of the Accused Instrumentalities. Meta denies the remaining allegations of paragraph 114.

115. Meta denies the allegations of paragraph 115.

116. Meta denies the allegations of paragraph 116.

117. Meta denies the allegations of paragraph 117.

**FOURTH CAUSE OF ACTION**  
**(ALLEGED INFRINGEMENT OF U.S. PATENT NO. 10,248,298)**

118. Meta incorporates by reference its responses to paragraphs 1 through 117 above.

119. Meta denies the allegations of paragraph 119.

120. Meta admits that paragraph 120 quotes the language of claim 1 of the '298 patent.

121. Meta denies the allegations of paragraph 121.

122. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta denies the allegations of paragraph 122.

123. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 123 quotes language from claim 1 of the '298 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 123.

124. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 124 quotes language from claim 1 of the '298 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 124.

125. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta denies the remaining allegations of paragraph 125.

126. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 126 quotes language from claim 1 of the '298 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta is without knowledge or information sufficient to form a belief as to the truth of Immersion's allegations regarding "testing" and the accuracy of any screenshots created by Immersion, and on that basis denies any allegations relating thereto that are inconsistent with the functionality of the

Accused Instrumentalities. Meta denies the remaining allegations of paragraph 126.

127. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 127 quotes language from claim 1 of the '298 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 127.

128. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta is without knowledge or information sufficient to form a belief as to the truth of Immersion's allegations regarding "testing" and the accuracy of any screenshots created by Immersion, and on that basis denies any allegations relating thereto that are inconsistent with the functionality of the Accused Instrumentalities. Meta denies the remaining allegations of paragraph 128.

129. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 129.

130. Meta denies the allegations of paragraph 130.

131. Meta denies the allegations of paragraph 131.

132. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 132 quotes language from claim 1 of the '298 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta is without knowledge or information sufficient to form a belief as to the truth of Immersion's allegations regarding "testing" and the accuracy of any screenshots created by Immersion, and on that basis denies any allegations relating thereto that are inconsistent with the functionality of the Accused Instrumentalities. Meta denies the remaining allegations of paragraph 132.

133. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 133.

134. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 134.

135. Meta denies the allegations of paragraph 135.

136. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 136 quotes language from claim 1 of the '298 patent.

To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta is without knowledge or information sufficient to form a belief as to the truth of Immersion's allegations regarding "testing," and on that basis denies any allegations relating thereto that are inconsistent with the functionality of the Accused Instrumentalities. Meta denies the remaining allegations of paragraph 136.

137. Meta denies the allegations of paragraph 137.

138. Meta denies the allegations of paragraph 138.

139. Meta denies the allegations of paragraph 139.

**FIFTH CAUSE OF ACTION**  
**(ALLEGED INFRINGEMENT OF U.S. PATENT NO. 10,269,222)**

140. Meta incorporates by reference its responses to paragraphs 1 through 139 above.

141. Meta denies the allegations of paragraph 141.

142. Meta admits that paragraph 142 quotes the language of claim 1 of the '222 patent.

143. Meta denies the allegations of paragraph 143.

144. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta denies the allegations of paragraph 144.

145. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 145 quotes language from claim 1 of the '222 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 145.

146. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 146 quotes language from claim 1 of the '222 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 146.

147. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 147.

148. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 148 quotes language from claim 1 of the '222 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 148.

149. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 149.

150. The allegations in this paragraph state a legal conclusion to which no response is

required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. The allegations set forth in this paragraph purport to summarize or characterize the contents of the cited YouTube webpage, which speaks for itself. To the extent the YouTube webpage or Immersion's allegations based on this webpage contain incomplete or inaccurate information, Meta denies these allegations. Meta denies the remaining allegations of paragraph 150.

151. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta is without knowledge or information sufficient to form a belief as to the truth of Immersion's allegations regarding "testing" and the accuracy of any screenshots created by Immersion, and on that basis denies any allegations relating thereto that are inconsistent with the functionality of the Accused Instrumentalities. Meta denies the remaining allegations of paragraph 151.

152. Meta denies the allegations of paragraph 152.

153. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 148 quotes language from claim 1 of the '222 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 153.

154. The allegations in this paragraph state a legal conclusion to which no response is

required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 154.

155. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta denies the allegations of paragraph 155.

156. Meta denies the allegations of paragraph 156.

157. Meta denies the allegations of paragraph 157.

158. Meta denies the allegations of paragraph 158.

**SIXTH CAUSE OF ACTION**  
**(ALLEGED INFRINGEMENT OF U.S. PATENT NO. 10,664,143)**

159. Meta incorporates by reference its responses to paragraphs 1 through 158 above.

160. Meta denies the allegations of paragraph 160.

161. Meta admits that paragraph 161 quotes the language of claim 1 of the '143 patent.

162. Meta denies the allegations of paragraph 162.

163. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta denies the allegations of paragraph 163.

164. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 164 quotes language from claim 1 of the '143 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies

the remaining allegations of paragraph 164.

165. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 165 quotes language from claim 1 of the '143 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 165.

166. Meta denies the allegations of paragraph 166.

167. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 167 quotes language from claim 1 of the '143 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 167.

168. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 168 quotes language from claim 1 of the '143 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta is without knowledge or information sufficient to form a belief as to the truth of Immersion's allegations regarding "testing" and the accuracy of any screenshots created by Immersion, and on that basis denies any allegations relating thereto that are inconsistent with the functionality of the Accused Instrumentalities. Meta denies the remaining allegations of paragraph 168.

169. Meta denies the allegations of paragraph 169.

170. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 170 quotes language from claim 1 of the '143 patent. Meta denies the remaining allegations of paragraph 170.

171. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 171 quotes language from claim 1 of the '143 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 171.

172. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 172.

173. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 173.

174. Meta denies the allegations of paragraph 174.

175. The allegations in this paragraph state a legal conclusion to which no response is

required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 175 quotes language from claim 1 of the '143 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta is without knowledge or information sufficient to form a belief as to the truth of Immersion's allegations regarding "testing" and the accuracy of any screenshots created by Immersion, and on that basis denies any allegations relating thereto that are inconsistent with the functionality of the Accused Instrumentalities. Meta denies the remaining allegations of paragraph 175.

176. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 176 quotes language from claim 1 of the '143 patent. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 176.

177. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta denies the remaining allegations of paragraph 177.

178. Meta denies the allegations of paragraph 178.

179. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Meta denies that it committed any act of infringement. Meta admits that paragraph 179 quotes language from claim 1 of the '143 patent.

To the extent the allegations set forth in this paragraph purport to summarize or characterize the contents of the cited Meta webpages, the cited Meta webpages speak for themselves. Meta is without knowledge or information sufficient to form a belief as to the truth of Immersion's allegations regarding "testing" and the accuracy of any screenshots created by Immersion, and on that basis denies any allegations relating thereto that are inconsistent with the functionality of the Accused Instrumentalities. Meta denies the remaining allegations of paragraph 179.

180. Meta denies the allegations of paragraph 180.

181. Meta denies the allegations of paragraph 181.

182. Meta denies the allegations of paragraph 182.

#### **RESPONSES TO PLAINTIFF'S PRAYER FOR RELIEF**

Meta incorporates by reference all preceding paragraphs of this Answer as if fully set forth herein. Meta denies any and all allegations of patent infringement as alleged in the Complaint. Meta also denies all allegations that Immersion is entitled to any relief requested, including paragraphs (A)-(F) of the Complaint's Prayer for Relief, or any other relief.

#### **RESPONSE TO PLAINTIFF'S JURY DEMAND**

Immersion's demand for a trial by jury does not require a response by Meta.

#### **DEFENSES**

Pursuant to Federal Rule of Civil Procedure 8(c), and without altering any applicable burdens of proof, Meta asserts the following defenses to the Complaint and reserves its right to assert additional defenses.

#### **FIRST DEFENSE – FAILURE TO STATE A CLAIM**

Immersion fails to state a claim upon which relief can be granted.

### **SECOND DEFENSE – NON-INFRINGEMENT**

Meta does not infringe and has not infringed, directly or indirectly, either literally or under the doctrine of equivalents, any valid claim of the '806, '524, '217, '298, '222, and/or '143 patents.

### **THIRD DEFENSE – INVALIDITY**

All asserted claims of the '806, '524, '217, '298, '222, and/or '143 patents are invalid for failure to satisfy the conditions of patentability in 35 U.S.C. §§ 101 *et seq.*, including, but not limited to §§ 101, 102, 103, and/or 112.

### **FOURTH DEFENSE – ENSNAREMENT AND PROSECUTION HISTORY ESTOPPEL**

Immersion cannot argue that the asserted claims of the Asserted Patents are broad enough that an Accused Instrumentality would be found to infringe under the doctrine of equivalents because such a contention would render the asserted claims invalid in view of the prior art. Immersion is also estopped from construing any claim of the Asserted Patents to be infringed or have been infringed, either literally or under the doctrine of equivalents, by any method or product manufactured, used, imported, sold or offered for sale by Meta in view of the prior art and because of admissions and statements Immersion made to the USPTO during prosecution of the applications leading to the issuance of the Asserted Patents.

### **FIFTH DEFENSE – LIMITATION ON DAMAGES, COSTS, AND MARKING**

Immersion's claims for costs and/or damages are barred, in whole or in part, by 35 U.S.C. §§ 286, 287 and/or 288. To the extent Immersion or any licensees have failed to comply with the marking requirement of 35 U.S.C. § 287, Immersion cannot recover any damages prior to the date the Complaint was filed.

**SIXTH DEFENSE – EQUITABLE DEFENSES**

Immersion's claims are barred, in whole or in part, by estoppel, acquiescence, prosecution laches, waiver, unclean hands, and/or other equitable defenses.

**SEVENTH DEFENSE – EXPRESS LICENSE, IMPLIED LICENSE, PATENT EXHAUSTION, AND/OR THE SINGLE RECOVERY RULE**

Immersion's claims are barred, in whole or in part, by express license agreements and/or under the doctrines of implied license, patent exhaustion, and/or the single recovery rule. Immersion purports to have licensed its patents. The terms of the license agreements are not publicly available. To the extent that Immersion's allegations of patent infringement relate to products, features, and/or services that were provided by or for any licensee of the Asserted Patents and/or provided to Meta by or through a licensee of the Asserted Patents or under an applicable covenant not to sue, or otherwise accuse activities that are subject to a license, release, or covenant not to sue with respect to the Asserted Patents that applies to products, features, or services accused of infringement in this case and/or applies to Meta as a third-party beneficiary of a license, release, or covenant not to sue, Immersion's claims are barred, in whole or in part.

**EIGHTH DEFENSE – NO INJUNCTIVE RELIEF**

Immersion's claims for injunctive relief are barred because there exists an adequate remedy at law and Immersion's claims otherwise fail to meet the requirements for such relief.

**RESERVATION OF RIGHTS**

Meta expressly reserves the right to allege and assert all other affirmative defenses that may be accorded to it under Rule 8(c) of the Federal Rules of Civil Procedure, the Patent Laws of the United States, and any other defenses, at law or in equity, that exist now or in the future may be available based on discovery and further factual investigation in the case.

**REQUEST FOR RELIEF**

WHEREFORE, Meta respectfully requests that the Court enter judgment:

- A. In favor of Meta, and against Immersion, dismissing the Complaint with prejudice, with Immersion taking nothing by the way of its claims;
- B. That Meta has not infringed, and is not now infringing, any valid claim of the '806 patent under any subsection of 35 U.S.C. § 271;
- C. That all asserted claims of the '806 patent are invalid and/or unenforceable;
- D. That Meta has not infringed, and is not now infringing, any valid claim of the '524 patent under any subsection of 35 U.S.C. § 271;
- E. That all asserted claims of the '524 patent are invalid and/or unenforceable;
- F. That Meta has not infringed, and is not now infringing, any valid claim of the '217 patent under any subsection of 35 U.S.C. § 271;
- G. That all asserted claims of the '217 patent are invalid and/or unenforceable;
- H. That Meta has not infringed, and is not now infringing, any valid claim of the '298 patent under any subsection of 35 U.S.C. § 271;
- I. That all asserted claims of the '298 patent are invalid and/or unenforceable;
- J. That Meta has not infringed, and is not now infringing, any valid claim of the '222 patent under any subsection of 35 U.S.C. § 271;
- K. That all asserted claims of the '222 patent are invalid and/or unenforceable;
- L. That Meta has not infringed, and is not now infringing, any valid claim of the '143 patent under any subsection of 35 U.S.C. § 271;
- M. That all asserted claims of the '143 patent are invalid and/or unenforceable;

- N. That this case stands out from others and as such is an exceptional case pursuant to 35 U.S.C. § 285 and ordering Immersion to pay Meta's reasonable attorneys' fees incurred in this action; and
- O. That Immersion pay all costs incurred by Meta in this action; and awarding Meta all other relief that the Court deems just and proper.

**DEMAND FOR A JURY TRIAL**

Meta respectfully requests a trial by jury on all issues so triable.

Dated: August 1, 2022

/s/ Heidi L. Keefe

Heidi L. Keefe (CA Bar 178960)  
COOLEY LLP  
3175 Hanover Street  
Palo Alto, CA 94304  
Telephone: (650) 843-5000  
Email: hkeefe@cooley.com

*Attorneys for Defendant Meta Platforms, Inc.*

**CERTIFICATE OF SERVICE**

Pursuant to the Federal Rules of Civil Procedure and Local Rule CV-5, I hereby certify that, on August 1, 2022, all counsel of record who have appeared in this case are being served with a copy of the foregoing via the Court's CM/ECF system.

/s/ Heidi L. Keefe  
Heidi L. Keefe